App. F. IX-4

Previous References

1935.
(Law)

File No. 184-
Serial Nos. 1-

Letter References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for April 1936

SUBJECT.

Instructions in the matter of obtaining power of attorney in favour of the officer in charge of the Swingeri Jaghir for conducting suits in British India.

CO. S. 504/34 on the file of the Sub Committee, Kerala,

Sl. 2 — To the Munsarim
No P 6763 dt 11.6.36

WD 03607—GPB—22,500—2-8-35

Forwards copy of Govt. Advocate's opinion in the matter & issues further instructions.

No. 1504/35-6

Sec. 3

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Dated, Bangalore, 7th April

FROM

K. V. ANANTARAMAN, Esq., B.A.,
~~N. MADHAVA RAO, Esq., B.A., B.L.,~~
Muzrai Commissioner in Mysore.

To

M. Venkatesa Iyengar, Esq., M.A.,
Secretary to the Government of His Highness the Maharaja of Mysore,
General *Department.*

SIR,

O.S.No.504/34 filed by the Sri Sringeri Mutt in the Sub Judge's Court at Kumta, North Canara District.

In inviting kind reference to this office letter dated 30th March 1936 requesting instructions, among other matters, as to whether the Officer-in-charge of the Sringeri Jahgir and Mutt may apply to the courts in British India for being substituted as either plaintiff or defendant in place of Mr. N. Srikanta Sastry, I have the honor to forward herewith a copy of letter No.3076/35-36 dated 2nd April 1936 together with copies of its enclosures received from the Deputy Commissioner, Kadur District, re. the above, and to solicit the favour of immediate instructions as to the action to be taken in this individual case in view of what is stated by Mr. G. F. Shastri in his letter to the Officer-in-charge. The case stands adjourned to 21st April 1936.

P 1818/35
8/4/1936
think a proper power of attorney in favour of the Officer-in-charge of the Mutt is necessary. It has to be drawn up on a British Indian Stamp paper and executed by the Swamiji before a magistrate. Govt Advocate asked to come for advice — Today

I have the honor to be,

Sir,

Your most obedient servant

M. N. Anantaraman

For Muzrai Commissioner.
(absent from headquarters.)

Returned with compliments

8) I agree. Mr. G. G. Shastri, the counsel for the Mutt at Kumta, writes that a Power of Attorney in favour of the Officer-in-charge is necessary and the suit was about to be dismissed on the previous date of hearing for want of a proper appearance. If the right of the Officer-in-charge to manage the properties beyond Mysore without a Power of Attorney from the Matadhipatni is questioned, complications might arise and result in unnecessary waste of time and money. In order to avoid these difficulties, a general Power of Attorney may once for all be taken from the Jagadguru in favour of the Officer-in-charge.

Government Advocate.
9.4.1936.

This may be appd

9/4

9/4

Member

1-4-36

6)

11/4/36

Today

11/4

for appl

11/4/36

GH

11/4/36

Hon Dr for perusal & return —

11.6.36

General and Revenue Secretariat | File No. 184 of 1935. | [App. F. III—2

Serial No.	
	Subst for pencil GS 17/4/36 17.4.36. 17/4/36 (new secy code) GS 17/4 pne 17/4 13

Letter No.3076/35-36 dated 2-4-36 from the Deputy Commissioner, Kadur District, to the Muzrai Commissioner in Mysore.

I have the honor to forward herewith copy of letter No.145/M. dated 25th March 36 from the Officer-in-charge, Sringeri Mutt, seeking instructions in the matter of further conduct of suit (O.S.504/34) filed in the Sub Judge's Court at Kumta, North Canara, by the Mutt for possession of moveable and immoveable properties belonging to the Sringeri Mutt at Gokarna, and to request that necessary instructions may be issued to the Officer-in-charge of Sringer Mut

"COPY"

M. N. Ramachar

For Muzrai Commissioner.

Letter No.145 dated 25-3-36 from the Officer-in-charge, Sringeri Jahgir
itt, to the Deputy Commissioner, Kadur District.

1) I have the honor to state that a suit (O.S.504/34) has been filed in
ib Judge's Court at Kumta, North Canara, bu the Mutt for possession of ce
ain moveable and immoveable properties belonging to the Sringeri Mutt at
okarna and one Mr. R. M. Kulkarni, Vakil, Kumta, was engaged to conduct th
ase on behalf of the Mutt by my predecessor-in-office. Mr. Kulkarni has
ince entered into Government service and has been appointed as Sub Judge a
olapur and as such, another vakil, One Mr. G. G. Shastri, B.A., LL.B.,
behalf of
umta, had been requested to appear on/the Mutt. I am enclosing herewith a
opy of his letter dated 18-3-36 for favour of kind perusal. The Advocate
tates that an application has to be presented to the court to substitute m
ame instead of my predecessor and that for this purpose I should obtain a
ower-of-Attorney.

2) I request that early orders may kindly be passed as to further action
e taken in the matter, as the case is fixed on the 21st April 1936, by whi
time, the Advocate says that if the application with the Power-of-Attorney
not presented, the case is likely to be dismissed. It is for consideration
whether a Power-of-Attorney is necessary as opined by the Advocate.

"C O P Y"

M. N Ramaiah

For Kuzrai Commissioner.

Letter dated 18-3-36 from Mr. G. F. Shastri, B.A., LL.B., Vakil, Kumta to the Officer-in-Charge of Sri Sringeri Mutt, Sringeri.

Your letter and the Vakaltnama in O.S.504/34 are duly to hand. The ca came up before the court yesterday but your vakalatnama could not be put in as the original plaintiff who sued on behalf of the Mutt as a Power-of-Attorney holder was a different person. If he is not in office at present and his Power-of-Attorney is cancelled an application will have to be given for substitution of your name in his stead in the body of the plaint. A new Power-of-Attorney in your name will also have to accompany the application on your behalf. If, therefore, a vakalatanama for you is to be produced, please send a Power-of-Attorney in your name and an application to the court to substitute your name instead of the previous Power-of-Attorney holder, to my address as early as possible. The suit would have been thrown out yesterday only for want of a proper appearance on behalf of the plaintiff but, by pointing out to the court the fact that the notice issued to the original Power-of-Attorney holder has not been duly served nor was even attempted to be served. I have got a fresh notice issued to him. The case is fixed on the 21st April 1936 for return of notice. Please do the needful in the matter before that date.

:OPY"

M. N. Ananthan

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Immedia...

No. P 6763/Rev/Law 184-35-2

Dated, Bangalore, 11th April *193*6

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Muzrai Commissioner in Mysore,

Bangalore.

Sir,

O.S.504/34 on the file of the Sub Court, Kumta, North Canara District.

With reference to your letter No.1364/35-36 dated 7th April 1936 soliciting instructions in the matter of obtaining a power of attorney in favour of the officer in charge of the Sringeri Jahgir and Mutt for conduct of suits in British India, I am directed to forward herewith a copy of the Government Advocate's opinion in the matter and to state that the Power of Attorney required may be drawn up on a British Indian Stamp paper and executed by H.H. the Swami before a Magistrate.

I have the honour to be,
Sir,
Your most obedient servant,

Sd. M.Venkatesa Iyengar.

General Secretary to Governm t.

Memo No. P 6764. Dated, Bangalore, the 11th April 1936.

Copy of the above is forwarded with compliments to the Deputy Commissioner, Kadur District, for information.

By order,

For General Secretary to Government.

Appendix F G—1]

3 copies

SUBJECT.....

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Immediate

Section Law

File No. 184-35

Serial No. 2

Diary No. of letter replied to.....

No. P 6763(1)

To The Hon. Comm^r

General and Revenue Secretariat

( )

the *193*

Sir,

OS. 504/36 on the file of the Sub-Ct., Kumta

Have Canara Dist

have reference to your Memo no 1364/2536 d 7.4.36 ~~xxx~~. Soliciting instructions in the matter of obtaining a power of attorney in favour of the officer in Charge of the Sirsi Jahgir and Mutt for Conduct of suits in British India I am directed to forward herewith a Copy of the A.G.'s opinion in the matter and to state that the Power of attorney

Date of issue 11.4.36

Signed by Hon. C.S.S.

List of enclosures.....

Copied by W.S. 7/4/36

Examined by.....

WD 03601—GPB—30,000—23-9-35

required may be drawn up on
a British Indian Stamp paper and
executed by the drawer before a
Magistrate

I have seen
the 11/4
Gen Sec

TSD
11/4

Copy to Dy. Kasm for info.